



US 09/610,313
PP001631.0101
2302-1631.20
PATENT

1635

CERTIFICATE OF MAILING PURSUANT TO 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 15, 2005.

6/15/05
Date

Michelle Hobson
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

BARNETT et al.

Serial No.: 09/610,313

Filing Date: July 5, 2000

Title: POLYNUCLEOTIDES ENCODING
ANTIGENIC HIV TYPE C POLYPEPTIDE,
POLYPEPTIDES AND USES THEREOF

Examiner: B. Whiteman

Group Art Unit: 1635

Confirmation No.: 4221

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

Attached is an Information Disclosure Statement and accompanying Form
PTO/SB/08A for the above-identified patent application.


- ☒ In accordance with 37 C.F.R. §1.97(b), no additional fee for submission of the IDS is required.
- ☐ In accordance with 37 C.F.R. §1.97(c), also enclosed is:
- ☐ the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p); or
- ☐ a statement as specified in 37 C.F.R. §1.97(e).
- ☐ In accordance with 37 C.F.R. §1.97(d), a statement as specified in 37 C.F.R. § 1.97(e) and the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) are also enclosed.

- ☐ Check No. ____ in the amount of \$____ for the total fee is attached.
- ☒ A return receipt postcard is also enclosed.
- ☐ Please charge \$_____ to Deposit Account No. 18-1648 for the total fee.
This paper is being submitted in duplicate.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: June 15, 2005

By: 
Dahna S. Pasternak
Registration No. 41,411

CHIRON CORPORATION
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**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.
§§1.97 and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- ☐ No copy of the publication _____ listed on the attached Form PTO/SB/08A are being provided because the Office waives the requirement under 37 C.F.R. 1.98 (a) (2) (i) for submitting a copy of each cited U.S. patent and each U. S. patent application publication for all U.S. national patent applications filed after June 30, 2003.
- ☐ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications

were previously cited by or submitted to the Office in prior Application Serial No. ____ to which the above-identified application claims priority under 35 U.S.C. §120.

- ☐ Publication(s) _____ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to application serial no. _____ and dated _____.
- ☐ Enclosed is a copy of a non-English publication(s) _____. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- ☐ Enclosed is a copy of a non-English publication(s) _____. English language publication ____ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed is an explanation of non-English publication(s) ____ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) ____ cited in the attached Form PTO/SB/08A.
- ☐ Enclosed is a copy of pending patent Application Serial No. _____.

This Information Disclosure Statement is filed within any one of the following time periods:

- ☐ within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- ☐ within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;
- ☐ before the mailing date of a first office action on the merits; or
- ☒ before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

USSN: 09/610,313

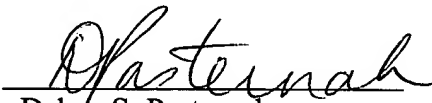
PP001631.0101

2302-1631.20

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

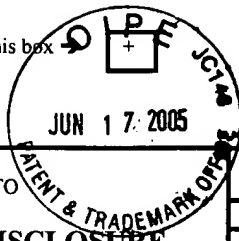
Respectfully submitted,

Date: June 15, 2005

By: 
Dahn S. Pasternak
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Facsimile: 650-493-3440

Please type a plus sign (+) inside this box



PTO/SB/08A (08-00)

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
Sheet	1	of	1	Application Number	09/610,313
				Filing Date	July 5, 2000
				First Named Inventor	BARNETT et al.
				Group Art Unit	1635
				Examiner Name	B. Whiteman
				Attorney Docket Number	PP001631.0101

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)			
	B1	WO	00/15819		The Children's Medical Center	03-23-2000	
	B2	WO	03/004620	A2	Chiron Corporation	01-16-2003	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	C1	Haas et al., "CYTOTOXIN T-CELL RESPONSES TO HIV-1 REVERSE TRANSCRIPTASE, INTEGRASE AND PROTEASE," AIDS, 12:1427-1436 (1998).	
	C2	Hamajima, et al., "THE COMBINATION OF DNA AND PEPTIDE VACCINES INDUCES STRONG IMMUNITIES AGAINST HIV-1 IN BOTH HUMORAL AND CMI," 11 TH International AIDS Conference, Vancouver, British Columbia, July 7-12; 11:6 (abstract no. Mo.A.151) (1996).	
	C3	Kent, et al., "A RECOMBINANT AVIPOXVIRUS HIV-1 VACCINE EXPRESSING INTERFERON-GAMMA IS SAFE AND IMMUNOGENIC IN MACAQUES," Vaccine 18:2250-2256 (2000).	
	C4	Williamson, et al., "DESIGNING HIV-1 SUBTYPE C VACCINES FOR SOUTH AFRICA," South African Journal of Science, 96:318-324 (2000).	

Examiner Signature	Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number.

² See attached Kinds of U.S. Patent Documents.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

⁶ Applicant is to place a check mark here if English language Translation is attached.